UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/AC.237/85
19 December 1994

Original: ENGLISH

INTERGOVERNMENTAL NEGOTIATING COMMITTEE
FOR A FRAMEWORK CONVENTION ON CLIMATE CHANGE
Eleventh session
New York, 6-17 February 1995
Item 7 (e) of the provisional agenda

MATTERS RELATING TO COMMITMENTS

THE ROLES OF THE SUBSIDIARY BODIES ESTABLISHED BY THE CONVENTION

Note by the interim secretariat

CONTENTS

		Paragraphs	Page
I.	INTRODUCTION	1 - 6	3
	A. Committee mandate	1	3
	B. Scope of the note	2 - 4	3
	C. Possible action by the Committee	5 - 6	4
II.	POSSIBLE PROGRAMME OF WORK FOR THE SESSIONS OF THE SUBSIDIARY BODIES ESTABLISHED BY THE CONVENTION PRIOR TO THE SECOND SESSION OF THE CONFERENCE OF THE PARTIES	7 - 19	4
	A. List of possible elements to be considered by the Subsidiary Body for Scientific and Technological Advice	14 - 16	6
	B. List of possible elements to be considered by the Subsidiary Body for Implementation	17 - 19	7

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		Paragraphs	Page
III.	VENUES FOR THE SESSIONS AND FINANCIAL AND STAFFING IMPLICATIONS	20 - 23	8

Annex

Summary of a possible sequence of events prior to the second session of the Conference of the Parties, including a list of matters to be considered by the subsidiary bodies 10

I. INTRODUCTION

A. Committee mandate

1. At its tenth session, the Committee adopted on a provisional basis a draft recommendation to the Conference of the Parties at its first session (COP 1) on the subsidiary bodies established under Articles 9 and 10 of the Convention (see A/AC.237/76, annex I, decision 10/2). The Committee also decided to consider further at its eleventh session the recommendation, in the light of recommendations on relevant items, including the process for the first review of information communicated by Annex I Parties, the review of the adequacy of commitments, criteria for joint implementation, and the financial mechanism, as well as further documentation provided by the interim secretariat, and modify it as appropriate. The Committee therefore requested the secretariat to prepare documentation for consideration at its eleventh session on the issues mentioned above, as well as on proposals for a programme of work for the first meetings of the subsidiary bodies and venues for their meetings prior to the second session of the Conference of the Parties (COP 2), including considerations in relation to workload and programme management, as well as on the related financial and staffing implications in the context of the overall budgetary planning for the functioning of the secretariat.

B. Scope of the note

2. The present note deals mainly with a possible programme of work for the subsidiary bodies prior to COP 2, based on decisions adopted so far by the Committee. Suggestions concerning specific areas of work for these bodies are addressed in other notes prepared by the secretariat (see paragraph 3 below). This note is principally based on the provisional recommendation to COP 1 on the subsidiary bodies which was adopted by the Committee at its tenth session but which did not fully address all the issues relating to the work of these bodies. As details of decisions on the issues mentioned in paragraph 1 above, as well as on methodological and technological issues, have not yet been fully elaborated, and in order to respond better to the request of the Committee, the secretariat has made a number of working hypotheses for planning purposes. Such hypotheses should be regarded as an effort to facilitate the discussion and not as prejudging the decisions of the Committee. In conformity with United Nations terminology, the word "sessions" is used throughout this note instead of "meetings", a session being composed of several meetings.

3. When considering this note, the Committee should bear in mind that the final recommendation on the scheduling of sessions, including matters to be considered at those sessions, and the final recommendations on the items mentioned in paragraph 1 above are closely related. Additionally, this note should be read in conjunction with the notes prepared by the interim secretariat for the eleventh session dealing with arrangements for the functioning of the permanent secretariat (A/AC.237/79); review of extrabudgetary funds

(A/AC.237/80); modalities for the consideration by the subsidiary bodies of in-depth review reports and individual communications (A/AC.237/82); methodological issues (A/AC.237/84); and transfer of technology (A/AC.237/88).

4. Section II of this note outlines a possible programme of work for the first sessions of the subsidiary bodies. Section III addresses the question of venues for their meetings prior to COP 2, as well as the financial and staffing implications of the schedule of sessions for the overall functioning of the secretariat. A possible sequence of events prior to COP 2, including a list of matters to be considered by the subsidiary bodies at their first sessions, is summarized in the annex to this note.

C. Possible action by the Committee

5. After completing its consideration of the functions and tasks to be carried out by the subsidiary bodies, the Committee may also wish to consider:

(a) An indicative list of matters to be discussed by these bodies at their first sessions;

(b) Suggestions for the organization of their work and sessions prior to COP 2. This would possibly include the establishment by the Subsidiary Body for Scientific and Technological Advice (SBSTA) of technical advisory panels on, for example, methodologies and technologies. The holding of workshops on specific issues in the context of any work relating to the follow-up to the review of the adequacy of commitments could also be considered.

6. Based on the outcome of the discussions on other relevant items, and taking into account the demands that the proposed programme of work would entail for both the secretariat and the Parties, and the information provided on venues and financial and staffing implications, the Committee may wish to recommend a schedule of sessions for the subsidiary bodies prior to COP 2.

II. POSSIBLE PROGRAMME OF WORK FOR THE SESSIONS OF THE SUBSIDIARY BODIES ESTABLISHED BY THE CONVENTION PRIOR TO THE SECOND SESSION OF THE CONFERENCE OF THE PARTIES

7. In order to advance preparations for the first sessions of the subsidiary bodies, the Committee may wish to recommend that COP 1 adopt a list of matters to be considered by each of the subsidiary bodies at their sessions, which they may revise, as appropriate, in the course of their work. COP 1 could also give guidance on the nature of working relationships between the two bodies.

8. The secretariat has based the following suggestions on the list of tasks to be carried out by the subsidiary bodies between COP 1 and COP 2, and on the schedule of work and one-week sessions adopted provisionally by the Committee at its tenth session.

9. The Committee may wish to recommend that work relating to the review of national communications be included as a regular item on the agenda of both subsidiary bodies. Additionally, the secretariat suggests that it would be useful if it could be made explicit that the Subsidiary Body for Implementation (SBI) should consider the compilation and synthesis of information communicated by Annex I Parties in order to fulfil its mandate to assess the overall aggregated effect of steps taken by Parties and to be able to advise on the implementation of the Convention.

10. In order to draw up the list of items for the SBSTA, as well as for broader planning purposes, the secretariat has taken as a working hypothesis that COP 1 would mandate the SBSTA to establish two technical advisory panels (see A/AC.237/76, annex I, appendix II to annex I to decision 10/2, para. 1 (e)). For example, one panel may assist the SBSTA with its tasks relating to technologies and another could possibly assist with tasks relating to methodological issues. The secretariat has also assumed that these panels would meet simultaneously for one week each, between sessions of the SBSTA. Membership and the terms of reference of such panels would be defined by the SBSTA on the basis of Article 9.2(c) and (e) of the Convention and according to the list of its functions adopted at COP 1. For purposes of efficiency, it would be desirable that participation be limited, for example, to 20 to 30 members, taking into account the necessary geographical balance. The Committee may wish to consider whether such panels of limited membership could function without interpretation.

11. For the purpose of this note, and without prejudging the outcome of the eleventh session of the Committee or COP 1, the secretariat has taken as a working hypothesis that a process to follow up the review of the adequacy of commitments would be launched at COP 1 and that the SBI would be responsible for overseeing that process. Should an open-ended, ad hoc body of the COP be given that responsibility, it would use meeting time and facilities allocated to the SBI under the former hypothesis. Moreover, the secretariat has taken into account the possibility that workshops on specific issues might be held to assist the SBI in its work. Should the idea of such workshops be found useful, the Committee may recommend that COP 1 give a mandate to the officers of the SBI to oversee their organization and preparation with the assistance of the secretariat, as well as request Parties to take appropriate steps regarding their funding.

12. The Committee may consider whether it would be appropriate that the SBI wait until its last session prior to COP 2 to deal with matters relating to the financial mechanism in order to have sufficient lead time to comprehend the functioning of the financial mechanism and the response of the operating entity to guidance provided by the Committee and the COP.

13. The annex to this note summarizes a possible sequence of events prior to COP 2, including a list of matters to be considered by the subsidiary bodies.

A. List of possible elements to be considered by the Subsidiary Body for Scientific and Technological Advice

1. First session

14. The SBSTA, at its first session, may:

(a) Consider, and adjust as appropriate, its work plan;

(b) Consider the nature of its working relationships with the Intergovernmental Panel on Climate Change (IPCC) and other competent international bodies;

(c) Define the terms of reference, work plan and membership of any technical advisory panel, as mandated by COP 1;

(d) Plan for its consideration of the IPCC Second Assessment Report to be released in December 1995;

(e) Fulfil its mandate relating to the scientific and technical review of national communications (see A/AC.237/76, annex I, appendix II to annex I to decision 10/2, para. 1 (f)), including:

(i) Consideration of the first compilation and synthesis of national communications;

(ii) Consideration of available in-depth review reports;

(iii) Overseeing the ongoing in-depth review of national communications and the preparation of the second compilation and synthesis of first national communications;

(iv) Provision of scientific and technical analysis to the SBI.

2. Second session

15. The SBSTA, at its second session, may:

(a) Consider the information provided by the IPCC Second Assessment Report and draw recommendations thereon for the SBI and the COP;

(b) Consider the results of the first session of any technical panel;

(c) Continue its work relating to the review of national communications;

(d) Deal with any requests from the SBI, in particular concerning methodological and technical aspects relating to the follow-up to the review of the adequacy of commitments.

3. Third session

16. The SBSTA, at its last session prior to COP 2, may finalize its recommendations to the COP and/or the SBI on:

(a) Scientific and technical aspects of the process for the review of national communications (as well as considering the second compilation and synthesis of first national communications and remaining in-depth review reports);

(b) Methodological issues, taking into account the work of any technical advisory panel on methodologies;

(c) Technology transfer and research and development, as well as capacity building, taking into account the work of any technical advisory panel on technologies.

B. List of possible elements to be considered by the Subsidiary Body for Implementation

1. First session

17. The SBI, at its first session, may:

(a) Consider, and adjust as appropriate, its work plan;

(b) Address the tasks relating to the follow-up to the review of the adequacy of commitments. In doing so, it would, as appropriate, formulate requests to the SBSTA for advice and assistance;

(c) Fulfil its mandate relating to the policy review of national communications and the assessment of the overall aggregated effect of the steps taken by Parties, on the basis of the scientific and technical analysis provided by the SBSTA (see A/AC.237/76, annex I, appendix II to annex I to decision 10/2, para. 2 (a)), including:

(i) Consideration of the first compilation and synthesis of national communications;

(ii) Consideration of available in-depth review reports;

(iii) Overseeing the ongoing in-depth review of national communications.

2. Second session

18. The SBI, at its second session, may proceed with its work relating to the follow-up to the review of the adequacy of commitments and the review of national communications.

3. Third session

19. The SBI, at its third session, may:

(a) Deal with matters relating to the financial mechanism of the Convention, including the consideration of a report from the operating entity of the financial mechanism and further elaboration of policies, programme priorities and eligibility criteria, as requested by the COP, in accordance with the relevant decision taken by COP 1;

(b) Finalize its recommendations to COP 2 on the policy aspects of the process for the review of national communications, as well as consider the second compilation and synthesis of first national communications and remaining in-depth review reports;

(c) Finalize its recommendations to COP 2 on the follow-up to the review of the adequacy of commitments.

III. VENUES FOR THE SESSIONS AND FINANCIAL AND STAFFING IMPLICATIONS

20. The Committee also requested the secretariat to prepare proposals for venues of the sessions of the subsidiary bodies in 1995 and 1996, including considerations on the financial and staffing implications in the context of the overall budgetary planning for the functioning of the secretariat. In the light of the many uncertainties relating to the institutional and physical location of the permanent secretariat, the response to this request is inevitably limited. Documents A/AC.237/60 and A/AC.237/61 (prepared for the tenth session of the Committee) provide estimates for conference costs, as well as for staffing and related funding requirements for 1994-1995. In addition, document A/AC.237/79/Add.3 outlines a budget for the functioning of the permanent secretariat in 1996 and 1997, and document A/AC.237/80 provides financial estimates for 1995, revising those given in document A/AC.237/61. The latter estimates include provision for the funding of participation in the subsidiary bodies in 1995.

21. The secretariat has consulted with the Office of Conference Services in Geneva on the availability of conference facilities in September/October 1995, January/February and June/July 1996. Conference facilities would be available in Geneva as from 16 October 1995 for a two-week period, with the possibility of extending for one week, and also in January/February and July 1996. In this regard, it is recalled that -- at time of writing -- the General Assembly has before it a draft resolution proposing to include in the calendar of

conferences and meetings for 1994-1995 the sessions of the subsidiary bodies that the COP may need to convene in 1995 (see A/AC.2/49/L.9). Provisions for meetings in 1996 will depend on the decision to be taken by COP 1 on the overall Convention budget and any consequent decisions by the General Assembly.

22. The work programme described above will make heavy demands on the secretariat as well as on the Parties. Therefore, the subsidiary bodies, when considering their work programmes, may wish to take into account the implications, on the one hand, for the budget and staffing required by the secretariat to enable it to provide the necessary support and, on the other hand, for the Parties in preparing for and participating in the sessions.

23. In the context of the discussion on financial implications, the possibility of Parties offering to host sessions of the subsidiary bodies and technical advisory panels should also be taken into account. In such a case, the cost to the secretariat would not be higher than the cost of convening the session at the location of the secretariat, since the host Party would pay the additional costs incurred by holding the meeting away from the seat of the secretariat.

Annex

SUMMARY OF A POSSIBLE SEQUENCE OF EVENTS PRIOR TO THE SECOND SESSION OF THE CONFERENCE OF THE PARTIES, INCLUDING A LIST OF MATTERS TO BE CONSIDERED BY THE SUBSIDIARY BODIES

Schedule	Subsidiary Body for Scientific and Technological Advice	Subsidiary Body for Implementation
First session October 1995	Consider work plan and relationships with IPCC Organize work of technical advisory panels Plan for consideration of IPCC Second Assessment Report Work relating to review of national communications	Consider work plan Work relating to follow-up to review of the adequacy Work relating to review of national communications
January 1996	Technical advisory panels meet	
Second session January/February 1996	Consider IPCC Second Assessment Report Consider work of technical advisory panels Work relating to review of national communications Deal with requests from SBI	Work relating to follow-up to review of the adequacy Work relating to review of national communications
April 1996	Technical advisory panels meet	Issue-specific workshop
Third session July 1996 (preceding COP 2)	Finalize recommendations to SBI and COP 2 Work relating to review of national communications	Deal with matters relating to the financial mechanism Finalize recommendations to COP 2 Work relating to review of national communications
COP 2 July 1996	Report to COP 2 on its work	Report to COP 2 on its work

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